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Patent
Attorney's Docket No. 024060-114

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)

Shigeto OHMORI et al.)

Patent No. 6,301,062)

Issued: October 9, 2001)

For: LENS OPTICAL SYSTEM)

Group Art Unit: 2873

Examiner: D. Spector

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OFFICE OF PETITIONS

**PETITION FOR INITIATION OF COMMISSIONER
ORDERED REEXAMINATION**

ATTENTION: OFFICE OF PETITIONS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

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The undersigned would like to thank Magdalen Greenlief, Editor of the M.P.E.P., for assistance in understanding the appropriate procedure to take under the present circumstances. In accordance with her suggestions, Applicants respectfully petition the Commissioner to order a reexamination of the above-captioned patent. The basis for this Petition is as follows.

On March 26, 2001, the above-captioned application was allowed by the Examiner. This resulted in the payment of Issue Fee on June 26, 2001.

On June 26, 2001, Applicants also filed a divisional application (U.S. Application No. 09/888,577: Attorney Reference 024060-135) presenting original claim 1, which was allowed in the parent application. Applicants intended to file a new set of claims in the child application when the Examiner Thompson (who did not examine the parent

application) issued a rejection of claim 1 based on prior art not of record in the parent application. Hence, Official Action issued in the child application rejecting a claim that was about to issue in the parent application.

In response to the these circumstances, Director Falcone executed a Notice of Withdrawal from Issue under 37 C.F.R. §1.313(b). For reasons not apparent, the withdrawal from issuance was not effective and above-captioned patent issued on October 9, 2001.

Under the present circumstances, Applicants/Patentee understand that the U.S. Patent and Trademark Office will institute a reexamination proceeding to clarify the record. This Petition is being filed under 37 C.F.R. §1.182, but Applicants/Patentee respectfully request that the Petition be treated under whatever section is appropriate. A petition fee as set forth in 37 C.F.R. § 1.17(h) is enclosed. The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

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By: 

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